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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,368	11/27/2001	Thomas A. Gerace	2128.2001-001	7273
21005	7590	07/07/2005		
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			EXAMINER HUTTON JR, WILLIAM D	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/994,368	GERACE ET AL.	
	Examiner	Art Unit	
	Doug Hutton	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-19,21-32,34-44 and 46-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-19,21-32,34-44 and 46-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>27 November 2001</u> . | 6) <input type="checkbox"/> Other: _____ |

PD

Applicant's Response

In Applicant's Response dated 11 March 2005, Applicant amended Claims 1, 7, 8, 15, 21, 22, 29, 34, 35, 41, 46 and 47, cancelled Claims 6, 20, 33 and 45, and argued against all rejections previously set forth in the Office Action dated 15 December 2004.

The rejections of Claims 6, 20, 33 and 45 are withdrawn, since these claims have been cancelled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 7-9, 12, 14-16, 18, 21-23, 26, 28, 29, 31, 34-36, 39, 41, 43, 46-48 and 51 remain rejected under 35 U.S.C. 102(e) as being anticipated by Bezos et al., U.S. Patent No. 6,029,141.

Claim 1:

Bezos discloses, in a network of computers, a method of generating a hyperlink on a web page on a client computer (see Figures 1 and 2; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer

referral system allows an associate, using the Internet, to place hyperlinks to the merchant website on the associate web page), comprising the steps of:

- sending through the network a request having an input set of hyperlink parameters (see Figures 3A-3C; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer referral system allows the user to enroll as an associate by submitting an online application to the merchant website; the application comprises an “input set of hyperlink parameters” in that the user inputs various information including the types of books he intends to list on his web page); and
- in response to said request, receiving a response comprising at least one of:
 - an output set of hyperlink parameters; and
 - data necessary for generating at least one hyperlink (see Figure 4; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer referral system sends instructions to the user that indicate how to create referral links on the associate web page), wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink (see Appendix A in Columns 16-18 – Bezos discloses this limitation, as clearly indicated in the cited text).

Claim 2:

Bezos discloses the method of Claim 1, further comprising the step of selecting said input set of hyperlink parameters from a plurality of input sets of hyperlink parameters (see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer referral system allows the user to select specific books from the merchant website; in other words, the merchant website comprises a “plurality of input sets of hyperlink parameters” in that it includes a plurality of books, and, from these books, the user selects specific books to be included in his “input set of hyperlink parameters”).

Claim 4:

Bezos discloses the method of Claim 1, wherein at least one of said input set of hyperlink parameters and said output set of hyperlink parameters includes any combination of at least one of: Merchant identifier, Affiliate Site identifier, Section Link Group identifier, Link identifier, Image identifier, and Program identifier (see Figures 3A-3B; see Column 10, Lines 10-18 – Bezos discloses this limitation, as clearly indicated in the cited figures and text).

Claim 7:

Bezos discloses the method of Claim 6, wherein said code data is conforming to the Hypertext Markup Language (HTML) format (see Appendix A in Columns 16-18 – Bezos discloses this limitation, as clearly indicated in the cited text).

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Claim 8:

Bezos discloses the method of Claim 6, wherein said code data includes a uniform resource locator (URL) (see Appendix A in Columns 16-18 – Bezos discloses this limitation, as clearly indicated in the cited text).

Claim 9:

Bezos discloses the method of Claim 1, wherein said data necessary for generating said at least one hyperlink comprises, for each hyperlink, visual representation data describing at least one form of visual appearance of said hyperlink on a web page (see Appendix A in Columns 16-18 – Bezos discloses this limitation, as clearly indicated in the cited text).

Claim 12:

Bezos discloses the method of Claim 1, wherein at least one of the steps of sending and receiving includes using Hypertext Transfer Protocol (HTTP) (see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation, as clearly indicated in the cited text).

Claim 14:

Bezos discloses the method of Claim 1, further comprising the step of combining said input set of hyperlink parameters and said output set of hyperlink parameters to form a second input set of hyperlink parameters (for purposes of examination, the

examiner will interpret this limitation to mean that the “output set of hyperlink parameters” is further narrowed into a subset of the original “output set;” see Appendix A in Columns 16-18 – Bezos discloses this limitation in that the customer referral system allows the user to add or remove referral links).

Claim 15:

Bezoes discloses, a computer system for generating hyperlinks on a web page on a client computer (see Figures 1 and 2; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer referral system allows an associate, using the Internet, to place hyperlinks to the merchant website on the associate web page), comprising:

- a client computer configured for communication in a network of computers (see Figure 2; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation, as clearly indicated in the cited figure and text); and
- a processor routine executing on said client computer (Bezoes discloses this limitation in that the customer referral system runs on a computer network), said processor routine:
 - sending through the network a request having an input set of hyperlink parameters (as indicated in the above rejection for Claim 1, Bezos discloses this limitation); and
 - in response to said request, receiving a response comprising at least one of:

- an output set of hyperlink parameters; and
- data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink (as indicated in the above rejection for Claim 1, Bezos discloses this limitation).

Claims 16, 18, 21-23, 26 and 28:

Claims 16, 18, 21-23, 26 and 28 merely recite a computer system that performs the methods of Claims 2, 4, 7-9, 12 and 14, respectively. Thus, Bezos discloses every limitation of Claims 16, 18, 21-23, 26 and 28 as indicated in the above rejections for Claims 2, 4, 7-9, 12 and 14.

Claim 29:

Claims 29 corresponds to Claim 1. Thus, Bezos discloses every limitation of Claim 29 as indicated in the above rejection for Claim 1.

Claims 31, 34-36 and 39:

Claims 31, 34-36 and 39 merely recite the same limitations as Claims 4, 7-9 and 12, respectively. Thus, Bezos discloses every limitation of Claims 31, 34-36 and 39 as indicated in the above rejections for Claims 4, 7-9 and 12.

Claim 41:

Bezos discloses, a system for delivering hyperlink information from a server computer (see Figures 1 and 2; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation in that the customer referral system allows an associate, using the Internet, to place hyperlinks to the merchant website on the associate web page), comprising:

- a server computer (see Figure 2; see Column 9, Line 40 through Column 11, Line 26 – Bezos discloses this limitation, as clearly indicated in the cited figure and text); and
- a server process executing on said server computer (Bezos discloses this limitation in that the customer referral system runs on a computer network) for:
 - receiving a request containing an input set of hyperlink parameters (as indicated in the above rejection for Claim 1, Bezos discloses this limitation); and
 - in response to said request, receiving a response comprising at least one of:
 - an output set of hyperlink parameters; and
 - data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink (as indicated in the above rejection for Claim 1, Bezos discloses this limitation).

Claims 43, 46-48 and 51:

Claims 43, 46-48 and 51 merely recite a system that performs the methods of Claims 4, 7-9 and 12, respectively. Thus, Bezos discloses every limitation of Claims 43, 46-48 and 51 as indicated in the above rejections for Claims 4, 7-9 and 12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 17, 30 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos, in view of Perri, III et al., U.S. Patent Application Publication No. US 2001/0020231.

Claim 3:

As indicated in the above rejection, Bezos discloses every element of Claim 1.

Bezos fails to expressly disclose an input set of hyperlink parameters that includes a user name and a password.

Perri teaches visual representation data that includes a uniform resource locator (URL) for an image (see Figures 4A and 4B; see Paragraphs 0064, 0065, 0089 and 0090 – Perri teaches this limitation in that the marketing system includes allows a user to select a user name and password via a registration form and requires the user to

submit the user name and password to gain access to a database, for the purpose of controlling access to the database.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Bezos, to include an input set of hyperlink parameters that includes a user name and a password, for the purpose of controlling access to the database, as taught by Perri.

Claim 17:

Claim 17 merely recites a computer system that performs the method of Claim 3. Thus, Bezos, in view of Perri, discloses/teaches every limitation of Claim 17 as indicated in the above rejection for Claim 3.

Claim 30:

Claim 30 recites the same limitations as Claim 3. Thus, Bezos, in view of Perri, discloses/teaches every limitation of Claim 30, as indicated in the above rejection for Claim 3.

Claim 42:

Claim 42 merely recites a system that performs the method of Claim 3. Thus, Bezos, in view of Perri, discloses/teaches every limitation of Claim 42, as indicated in the above rejection for Claim 3.

Claims 5, 19, 32 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos, in view of Vange et al., U.S. Patent Application Publication No. US 2002/0004796.

Claim 5:

As indicated in the above rejection, Bezos discloses every element of Claim 1.

Bezos fails to expressly disclose receiving the response in Extensible Markup Language (XML) format.

Vange teaches a method in a server configured for responding to hypertext transport protocol (HTTP) requests (see Paragraphs 0027 and 0031 – Vange teaches this limitation in that the computerized method is performed on the Internet), the method comprising:

- receiving a response in Extensible Markup Language (XML) format (see Paragraphs 0010, 0051 and 0066 – Vange teaches this limitation in that the database service system uses XML and HTML user-level protocols to exchange information with client devices),

for the purpose of increasing the functionality of databases (see Paragraph 0010).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Bezos, to include:

- receiving the response in Extensible Markup Language (XML) format,

for the purpose of increasing the functionality of databases, as taught by Vange.

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Claim 19:

Claim 19 merely recites a computer system that performs the method of Claim 5. Thus, Bezos, in view of Vange, discloses/teaches every limitation of Claim 19, as indicated in the above rejection for Claim 5.

Claim 32:

Claim 32 recites the same limitations as Claim 5. Thus, Bezos, in view of Vange, discloses/teaches every limitation of Claim 32, as indicated in the above rejection for Claim 5.

Claim 44:

Claim 44 merely recites a system that performs the method of Claim 5. Thus, Bezos, in view of Vange, discloses/teaches every limitation of Claim 44, as indicated in the above rejection for Claim 5.

Claims 10, 11, 24, 25, 37, 38, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos, in view of Amazon.com (hereinafter, Amazon), as published on 13 October 1999 and archived at <http://web.archive.org/web/19991013091817/http://amazon.com/>.

Claim 10:

As indicated in the above rejection, Bezos discloses every element of Claim 9.

Bezos fails to expressly disclose visual representation data that includes a uniform resource locator (URL) for an image.

Amazon teaches visual representation data that includes a uniform resource locator (URL) for an image (see Page 1 of 2 – Amazon teaches this limitation in that the web page includes an image hyperlink for *The Big Test* that includes a URL for an image, for the purpose of presenting an alternative image hyperlink to the web page.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Bezos, to include visual representation data that includes a uniform resource locator (URL) for an image, for the purpose of presenting an alternative image hyperlink to the web page, as taught by Amazon.

Claim 11:

As indicated in the above rejection, Bezos discloses every element of Claim 9.

Bezos fails to expressly disclose visual representation data that includes indications of dimensions of an image.

Amazon teaches visual representation data that includes indications of dimensions of an image (see Page 1 of 2 – Amazon teaches this limitation in that the web page includes an image hyperlink for *The Big Test* that includes a URL for an image, for the purpose of sizing the image hyperlink to the web page.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Bezos, to include

visual representation data that includes indications of dimensions of an image, for the purpose of sizing the image hyperlink to the web page, as taught by Amazon.

Claims 24 and 25:

Claims 24 and 25 merely recite a computer system that performs the methods of Claims 10 and 11, respectively. Thus, Bezos, in view of Amazon, discloses/teaches every limitation of Claims 24 and 25 as indicated in the above rejections for Claims 10 and 11.

Claims 37 and 38:

Claims 37 and 38 recite the same limitations as Claims 10 and 11, respectively. Thus, Bezos, in view of Amazon, discloses/teaches every limitation of Claims 37 and 38, as indicated in the above rejections for Claims 10 and 11.

Claims 49 and 50:

Claims 49 and 50 merely recite a system that performs the methods of Claims 10 and 11, respectively. Thus, Bezos, in view of Amazon, discloses/teaches every limitation of Claims 49 and 50, as indicated in the above rejections for Claims 10 and 11.

Claims 13, 27, 40 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos, in view of Gillett et al., U.S. Patent No. US 6,760,711.

Claim 13:

As indicated in the above rejection, Bezos discloses every element of Claim 1.

Bezoes fails to expressly disclose encrypting the request with a key identifiable by a key ID sent unencrypted together with said request.

Gillett teaches an online commerce system (see Column 1, Lines 6-11), comprising:

- encrypting a request with a key identifiable by a key ID sent unencrypted together with said request (see Column 7, Line 21 through Column 8, Line 13 – Gillett teaches this limitation in that the online commerce system encrypts the user request with a session key for subsequently decrypting the information), for the purpose of protecting sensitive information in the request (see Column 7, Line 21 through Column 8, Line 13).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method, disclosed in Bezos, to include:

- encrypting a request with a key identifiable by a key ID sent unencrypted together with said request, for the purpose of protecting sensitive information in the request, as taught by Gillett.

Claim 27:

Claim 27 merely recites a computer system that performs the method of Claim 13. Thus, Bezòs, in view of Gillett, discloses/teaches every limitation of Claim 27 as indicated in the above rejection for Claim 13.

Claim 40:

Claim 40 recites the same limitations as Claim 13. Thus, Bezos, in view of Gillett, discloses/teaches every limitation of Claim 40, as indicated in the above rejection for Claim 13.

Claim 52:

Claim 52 merely recites a system that performs the method of Claim 13. Thus, Bezos, in view of Gillett, discloses/teaches every limitation of Claim 52, as indicated in the above rejection for Claim 13.

Response to Arguments

Applicant's arguments filed 11 March 2005 have been fully considered but they are not persuasive.

Arguments for Claims 1, 15, 29 and 41:

Applicant argues that Bezos fails to disclose “**code data** necessary to execute each said hyperlink” (emphasis added) because the customer referral system in Bezos only sends **instructions** to the user **that indicate how to create** referring **links** on the associate web page (emphasis added). See *Applicant’s Response* – Page 10, third full paragraph, first and second sentences.

The examiner disagrees.

The relevant claim language reads: “data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink” (see Claim 1, Lines 7-9). The phrase “code data necessary to execute each said hyperlink” is very broad in that it reads on any data that is necessary to execute a hyperlink.

In the Specification of the present invention, Applicant points out that a hyperlink has two parts – a “representation” and the “underlying code” (see Specification – Page 1, fourth paragraph, first sentence). The “representation” of the hyperlink is what the user sees on the web page, whereas the “underlying code” comprises the data used to load the hyperlinked web page into the browser after the user clicks on the hyperlink. In the Specification, Applicant also points out that the “underlying code” includes the URL of the link (see Specification – Page 2, first paragraph, first sentence). Thus, the “code data necessary to execute each said hyperlink” comprises a URL of the link.

As indicated in the above rejection for Claim 1, Bezos discloses a customer referral system that sends instructions to the user indicating how to create referral links on the associate web page. These instructions include an example of the URL that is to

be used for each referral link (see Appendix A in Columns 16-18). This URL comprises "code data necessary to execute each said hyperlink" in that each referral link will exactly match the URL, except for the ISBN numbers of the books that are featured on the associate's website. Accordingly, the instructions include "code data necessary to execute each said hyperlink."

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

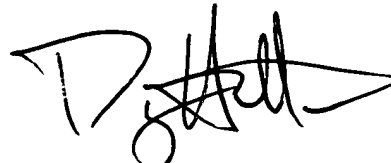
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH
June 13, 2005

A handwritten signature in black ink, appearing to read 'D. Hutton', with a stylized, sweeping flourish extending to the right.

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**